

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO AVITIA-MARQUEZ,

Defendant.

4:15-CR-3103

ORDER

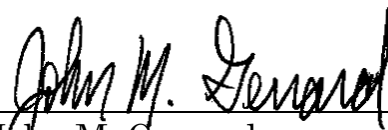
This matter is before the Court on the defendant's motion to voluntarily dismiss his 28 U.S.C. § 2255 motion ([filing 49](#)). The motion will be granted.

IT IS ORDERED:

1. The defendant's motion to dismiss ([filing 49](#)) is granted.
2. The defendant's § 2225 motion ([filing 43](#)) is dismissed without prejudice.
3. The Clerk of the Court shall close case no. 4:16-cv-3104.

Dated this 12th day of December, 2016.

BY THE COURT:



John M. Gerrard
United States District Judge